

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TRUSTEES OF THE ELECTRICAL WORKERS'
INSURANCE FUND and TRUSTEES OF THE
SUPPLEMENTAL UNEMPLOYMENT BENEFIT
FUND FOR THE ELECTRICAL INDUSTRY,
DETROIT, MICHIGAN

Case Number 21-12988
Honorable David M. Lawson

Plaintiffs,

v.

STEVEN PETTY,

Defendant.

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CONSENT JUDGMENT

On December 22, 2021, the plaintiffs filed their complaint alleging that the defendant failed or refused to remit contributions to the Electrical Workers' Union benefit funds, as specified by a collective bargaining agreement. The complaint alleged that by failing to make the required benefit contributions the defendant violated pertinent provisions of the Labor-Management Relations Act, 29 USC §186, *et seq.*, and ERISA, 29 USC §1001, *et seq.* On January 12, 2022, the parties submitted a stipulation setting forth the terms of their mutual agreement to resolve the case by entry of a consent judgment.

Accordingly, pursuant to the stipulation of the parties (ECF No. 3), the following is **ORDERED AND ADJUDGED.**

1. The plaintiffs shall recover from defendant Steven Petty past due benefits in the amount of \$2,310. The plaintiffs may pursue execution of the judgment as allowed by law.

2. Post-judgment monthly interest of 3% shall accrue on the judgment amount as provided for under 28 U.S.C. § 1961.

3. The plaintiffs shall not take action to execute the judgment as long as the defendant makes timely installment payments against a total judgment debt of \$2,352 (the principal amount of \$2,310 in benefits which he was not entitled to retain plus compounding interest of 3% over 16 payments). Payments must be tendered by checks payable to “Supplemental Unemployment Benefit Fund for the Electrical Industry, Detroit, Michigan,” and the checks must be received in the offices of counsel of plaintiffs SUB Fund Trustees, Joseph W. Uhl, Watkins, Pawlick, Calati & Prifti, PC, 1423 East 12 Mile Road, Madison Heights, Michigan, 48071. The installments shall consist of 15 monthly payments of \$151.17 with the first payment to be received **on or before January 15, 2022** and the 15th payment to be received **on or before March 15, 2023**, and a final sixteenth payment of \$84.53 to made **on or before Monday, May 15, 2023**. Interest on the installment payments is included in the specified amount for the monthly payments.

4. If any of the required monthly payments are received after the due date, then the defendant shall be deemed to be in default, and without further application, notice, hearing or court order, (i) the entire judgment obligation of \$2,352.08, less any payments received, automatically shall be accelerated and become immediately due and payable, and (ii) plaintiffs SUB Fund Trustees shall be entitled to enforce the judgment and exercise all of their creditor rights and remedies through all available means.

5. The acceptance by the plaintiffs SUB Fund Trustees of any monthly installment payments described after the respective due dates shall not alter any of the obligations of the defendant under this judgment and shall not serve as a waiver of any of the rights of plaintiffs SUB Fund Trustees under this judgment.

6. The Court shall retain jurisdiction to enforce the provisions of this consent judgment through May 15, 2023.

7. All of the plaintiffs' claims against the defendant are **DISMISSED WITH PREJUDICE** and without costs to any party.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: January 19, 2022